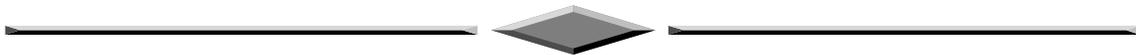


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Ron Santos, Associate Planner  
**DATE:** June 25, 2008

**SUBJECT:** **COASTAL DEVELOPMENT PERMIT NO. 2008-011; CONDITIONAL USE PERMIT NO. 2008-021 (SAWYER RESIDENCE)**

**LOCATION:** 16701 Peale Lane, 92649 (west side of Peale Lane, north of Gilbert Drive – Huntington Harbour)



**Applicant:** Jay Golison, 5500 Bolsa Avenue, Suite No. 15, Huntington Beach, CA 92649

**Property Owner:** Matt Sawyer, 16701 Peale Lane, Huntington Beach, CA 92649

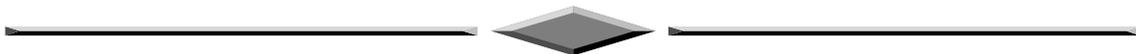
**Request:** **CDP:** To permit the demolition of an existing single-family dwelling and the construction of approximately 4,876 sq. ft., 35 ft. tall single-family dwelling with a 600 sq. ft. attached garage; **CUP:** To allow (a) approximately 1,029 sq. ft of habitable space above the 2<sup>nd</sup> story and; (b) an overall building height exceeding 30 ft. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15302, Class 2, California Environmental Quality Act.

**Zone:** RL-CZ (Residential Low-Density – Coastal Zone)

**General Plan:** RL-7 (Residential Low-Density – 7 units/acre maximum)

**Existing Use:** Single Family Dwelling



**RECOMMENDATION:** Staff recommends denial of the proposed project based upon the following findings:

**SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15302 of the CEQA Guidelines, because the project consists of the replacement of an existing structure where the new structure will have substantially the same purpose and capacity as the structure replaced.

**SUGGESTED FINDINGS FOR DENIAL - COASTAL DEVELOPMENT PERMIT NO. 2008-011:**

The project is inconsistent with the requirements of the base zoning district; specifically, the provisions of Huntington Beach Zoning & Subdivision Ordinance (HBZSO) Section 210.06(M)(d), which requires that all habitable area above the second story be within the confines of the 2<sup>nd</sup> story roof volume.

**SUGGESTED FINDINGS FOR DENIAL - CONDITIONAL USE PERMIT NO. 2008-021:**

1. Conditional Use Permit No. 2008-021 to allow (a) 1,029 sq. ft. of habitable space above the 2<sup>nd</sup> story and (b) an overall building height exceeding 30 ft. would be detrimental to the general welfare of persons residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed project does not comply with the provisions of the HBZSO which require three-story dwellings in the RL (Residential Low-Density) zone to be designed to minimize bulk and mass by confining third story habitable space to the second story roof volume, and consequently, is inconsistent with the character of the neighborhood and therefore detrimental to persons residing in the vicinity.
2. The conditional use permit would be incompatible with surrounding uses because the proposed project features an apparent three-story design in a neighborhood subject to certain design standards intended to produce two-story like architecture.
3. The proposed dwelling does not comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance which requires that all habitable area above the second story be within the confines of the 2<sup>nd</sup> story roof volume.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Low Density Residential – 7 units per acre) on the subject property. In addition, it is inconsistent with the following goals and policies of the General Plan:
  - LU 9.2.1: Require that all new residential development within existing neighborhoods be compatible with existing structures, including the:
  - LU 9.2.1b: Use of building heights, grade elevations, orientation, and bulk that are compatible with surrounding development;

The proposed third-story is not confined to the second-story roof volume, as required by the HBZSO, and consequently is incompatible with existing residential development in the vicinity and the desired character of the neighborhood in terms of bulk, massing and building height.